

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
TOMER AVRAHAM MD PLASTIC :
SURGERY LLC, :
:
Plaintiff, : 24-CV-9537 (VSB)
:
- against - : **ORDER**
:
1199SEIU NATIONAL BENEFIT FUND :
FOR HOME CARE EMPLOYEES, :
:
Defendant. :
:
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VERNON S. BRODERICK, United States District Judge:

Defendant filed a motion to dismiss Plaintiff's complaint on January 27, 2025. (See Doc. 9.) Pursuant to Local Rule 6.1(b), Plaintiff's opposition to Defendant's motion was due on February 10, 2025. To date, Plaintiff has not filed an opposition to the motion or taken any other action in this litigation. Accordingly, it is hereby:

ORDERED that Plaintiff shall file any opposition to Defendants' motion no later than February 24, 2025. If Plaintiff fails to oppose Defendant's motion or otherwise submit any filing by that date, I will consider the motion as unopposed. *Cf. McCall v. Pataki*, 232 F.2d 321, 322–23 (2d Cir. 2000) (“If a complaint is sufficient to state a claim on which relief can be granted, the plaintiff’s failure to respond to a Rule 12(b)(6) motion does not warrant dismissal.”).

SO ORDERED.

Dated: February 19, 2025
New York, New York


Vernon S. Broderick
United States District Judge